

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ALYSSA A. MASON,

Plaintiff(s),

v.

CAROLYN W. COLVIN, Acting
Commissioner of Social Security,

Defendant(s).

Case No. 2:16-cv-01139-RFB-NJK

ORDER GRANTING IN PART AND
DENYING IN PART STIPULATION

(Docket No. 13)

Pending before the Court is a stipulation to extend the time for Plaintiff to file her opening brief by approximately 60 days. Docket No. 13. All requests to extend deadlines must be supported by a showing of good cause. Fed. R. Civ. P. 6(b)(1). By extension, a showing of good cause is generally made by explaining why the deadline already set cannot reasonably be met despite the diligence of the parties. *Cf. Johnson v. Mammoth Recreations, Inc.*, 975 F.2d 604, 609 (9th Cir. 1992). In this case, the reasons provided for the extension sought are that additional time “is needed in order to properly prepare plaintiff’s motion addressing the legal issues within the administrative record in this matter.” Docket No. 13 at 2. Such a bald assertion fails to explain why the deadline already provided could not be met.

In addition, the deadline at issue expired two days before the pending stipulation was filed. *Compare* Docket No. 13 (filed on November 9, 2016) *with* Docket No. 11 at 2 (setting deadline of November 7, 2016). When a request for an extension is filed after the expiration of a deadline, it must make a sufficient showing of both good cause for the extension and excusable neglect for failing to seek

1 the extension prior to expiration of the deadline. *See* Fed. R. Civ. P. 6(b)(1)(B); Local Rule IA 6-1(a).
2 No showing of excusable neglect has been made here.

3 For the reasons discussed above, the request for a 60-day extension is **DENIED**. Despite failing
4 to establish either good cause or excusable neglect, the Court will nonetheless **GRANT** the request for
5 extension in part since the request is presented as a stipulation and as a one time courtesy to the parties.
6 The briefing deadlines are hereby **EXTENDED** as follows:

- 7 • Plaintiff's motion for reversal and/or remand: December 7, 2016
- 8 • Defendant's response: January 6, 2017
- 9 • Plaintiff's reply: January 27, 2017

10 IT IS SO ORDERED.

11 DATED: November 10, 2016

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NANCY J. KOPPE
United States Magistrate Judge